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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO.244 OF 2006
IN
WRIT PETITION NO.1224 OF 2003

Sharadchandra Kulkarni).. Applicant

Versus

Smt.Vrinda Ghalsasi and others).. Respondents

Mr.P.S. Dani for the Applicant.

Mr.Anil Subramaniam for Respondent No.1.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 3RD MARCH 2006

P.C.:

. The Applicant-original Respondent No.1, has sought vacation of the stay granted by this Court subject to the Undertaking being filed by the original Petitioner. It is the case of Applicant-original Respondent No.1 that the suit premises are occupied by one P.P. Naik and not by the original Petitioner.

2. The learned Advocate appearing for the original Petitioner states that the premises were occupied by P.P. Naik for some time. However, he has now shifted to the other premises. He produced record of the payments made in respect of the premises purchased by

P.P.Naik. The learned Advocate further states that the suit premises will be occupied by the Petitioner and his family members and nobody else in future.

3. In view of the statement made by the learned Advocate for the Petitioner and the Undertaking filed by him taken on record, nothing survives in the Civil Application and the same is disposed of accordingly.